

**Amendment No. 5 to SB2300**

**Fowler  
Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2300**

**House Bill No. 2321\***

By deleting the following language from Section 2:

56\_\_-\_\_\_\_\_.

(a) An operator of a prescription drug discount plan must obtain a valid certificate of registration from the commissioner. Such certificate shall be valid for one year from the date of issuance. In order to receive a valid certificate of registration, the operator shall file an application on a form adopted by the commissioner, and provide or demonstrate to the commissioner each of the following:

(1) The name and principle place of business of the operator;

(2) A copy of the operator's promotional materials that are distributed to prospective members;

(3) A list of drugs and drug classifications that make up the drug discount plan or a notation that such plan is an open formulary; and

(4) The name and address of the agent in this State for service of process.

(b) Notwithstanding any provision of law to the contrary, it shall be unlawful and a violation of this part for any person after August 1, 2005 to sell, market, promote, advertise or otherwise distribute a prescription drug discount plan in Tennessee without first complying with the registration provisions of this part, and complying with Tennessee Code Annotated, Sections 47-18-2701 and 47-18-2702.

And by substituting instead the following:

56\_\_-\_\_\_\_\_. Notwithstanding any provision of law to the contrary, it shall be unlawful and a violation of this part for any person after August 1, 2005 to sell, market, promote, advertise or otherwise distribute a prescription drug discount plan in

Tennessee without first complying with Tennessee Code Annotated, Sections 47-18-2701 and 47-18-2702.